
By: **Prince George's County Delegation**

Introduced and read first time: February 9, 2001

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - School Board - Districts and Membership**
3 **PG 415-01**

4 FOR the purpose of redistricting the school board districts of Prince George's County
5 to reduce the number of districts; requiring that a certain number of the
6 members of the Prince George's County School Board be elected from the school
7 board districts; requiring that a certain number of the members of the Prince
8 George's County School Board be elected at large; providing for the terms of
9 office of the members of the School Board; repealing certain obsolete provisions;
10 providing for the termination of the terms of members of the School Board
11 serving on the effective date of this Act; providing for a delayed effective date;
12 and generally relating to the Prince George's County School Board.

13 BY repealing
14 Article - Education
15 Section 3-1001
16 Annotated Code of Maryland
17 (1999 Replacement Volume and 2000 Supplement)

18 BY adding to
19 Article - Education
20 Section 3-1001
21 Annotated Code of Maryland
22 (1999 Replacement Volume and 2000 Supplement)

23 BY repealing and reenacting, with amendments,
24 Article - Education
25 Section 3-1002
26 Annotated Code of Maryland
27 (1999 Replacement Volume and 2000 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That Section(s) 3-1001 of Article - Education of the Annotated Code of
3 Maryland be repealed.

4 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
5 read as follows:

6 **Article - Education**

7 3-1001.

8 (A) THE DESCRIPTIONS OF SCHOOL BOARD DISTRICTS, INCLUDING ALL
9 REFERENCES TO ELECTION DISTRICTS AND PRECINCTS, ARE TO GEOGRAPHICAL
10 BOUNDARIES OF THE ELECTION DISTRICTS AND PRECINCTS, AS REVIEWED AND
11 CERTIFIED BY THE PRINCE GEORGE'S COUNTY BOARD OF SUPERVISORS OF
12 ELECTIONS AS PART OF THE 1990 CENSUS REDISTRICTING DATA PROGRAM.

13 (B) SCHOOL BOARD DISTRICT I CONSISTS OF:

- 14 (1) ELECTION DISTRICT 1;
- 15 (2) ELECTION DISTRICT 10, PRECINCTS 1 THROUGH 9;
- 16 (3) ELECTION DISTRICT 17, PRECINCTS 6, 7, AND 9 THROUGH 15; AND
- 17 (4) ELECTION DISTRICT 21, PRECINCTS 1, 4, 5, 10, 12, 14, AND 15.

18 (C) SCHOOL BOARD DISTRICT II CONSISTS OF:

- 19 (1) ELECTION DISTRICTS 2, 16, AND 19;
- 20 (2) ELECTION DISTRICT 13, PRECINCT 2;
- 21 (3) ELECTION DISTRICT 17, PRECINCTS 1, 2, 3, 5, AND 8;
- 22 (4) ELECTION DISTRICT 18, PRECINCTS 1 THROUGH 5, 7, 8, AND 10;
- 23 (5) ELECTION DISTRICT 20, PRECINCT 8; AND
- 24 (6) ELECTION DISTRICT 21, PRECINCTS 2, 7, 8, AND 9.

25 (D) SCHOOL BOARD DISTRICT III CONSISTS OF:

- 26 (1) ELECTION DISTRICTS 3, 7, AND 14;
- 27 (2) ELECTION DISTRICT 10, PRECINCT 10;
- 28 (3) ELECTION DISTRICT 13, PRECINCT 5;
- 29 (4) ELECTION DISTRICT 15, PRECINCTS 1 AND 3;

1 (5) ELECTION DISTRICT 20, PRECINCTS 1 THROUGH 7 AND 9; AND

2 (6) ELECTION DISTRICT 21, PRECINCTS 3, 6, 11, 13, AND 16.

3 (E) SCHOOL BOARD DISTRICT IV CONSISTS OF:

4 (1) ELECTION DISTRICT 6, PRECINCTS 1, 3 THROUGH 12, AND 14
5 THROUGH 22;

6 (2) ELECTION DISTRICT 12, PRECINCTS 3 AND 13;

7 (3) ELECTION DISTRICT 13, PRECINCTS 1, 3, 4, 6, 7, 8, 10, AND 11;

8 (4) ELECTION DISTRICT 15, PRECINCT 2; AND

9 (5) ELECTION DISTRICT 18, PRECINCT 6.

10 (F) SCHOOL BOARD DISTRICT V CONSISTS OF:

11 (1) ELECTION DISTRICTS 4, 8, 9, AND 11;

12 (2) ELECTION DISTRICT 5, PRECINCTS 1 THROUGH 6;

13 (3) ELECTION DISTRICT 6, PRECINCTS 2 AND 13; AND

14 (4) ELECTION DISTRICT 12, PRECINCTS 1, 2, 4 THROUGH 12, AND 14.

15 (G) BEGINNING IN 2001, THE SCHOOL BOARD DISTRICTS SHALL BE
16 REDISTRICTED EVERY 10 YEARS BASED ON THE LATEST U.S. CENSUS DATA.

17 3-1002.

18 (a) In this subtitle, "elected member" means one of the nine elected members
19 of the Prince George's County Board or a member appointed to fill a vacancy of one of
20 these nine members.

21 (b) (1) The Prince George's County Board consists of nine elected members
22 and one student member selected under subsection (f)(2) of this section.

23 (2) FIVE OF THE NINE ELECTED MEMBERS SHALL BE ELECTED BASED
24 ON THE SCHOOL BOARD DISTRICT THEY REPRESENT, WITH ONE MEMBER ELECTED
25 FROM EACH DISTRICT.

26 (3) FOUR OF THE NINE ELECTED MEMBERS SHALL BE ELECTED AT
27 LARGE. THE FOUR CANDIDATES RECEIVING THE FIRST, SECOND, THIRD, AND
28 FOURTH HIGHEST NUMBER OF VOTES IN THE AT LARGE ELECTION SHALL BE
29 ELECTED TO THE FOUR AT LARGE OFFICES.

30 (c) (1) A candidate for the County Board shall be a resident of Prince
31 George's County for at least 3 years and a registered voter of the County before the
32 election.

1 (2) From the time of filing as a candidate for election, each candidate for
2 THE SCHOOL BOARD DISTRICT OFFICES OF the County Board shall reside in the
3 school board district the candidate seeks to represent.

4 (3) An elected County Board member shall forfeit the office if the
5 member:

6 (i) Fails to reside in the school board district from which the
7 member was elected, unless this change is caused by a change in the boundaries of
8 the district; or

9 (ii) Fails to be a registered voter of the County.

10 (4) A County Board member may not hold another office of profit in
11 county government during the member's term.

12 (5) Each elected member of the County Board shall be nominated by the
13 registered voters of the member's school board district.

14 (d) Members of the Prince George's County Board shall be elected:

15 (1) [At] SUBJECT TO SUBSECTION (G) OF THIS SECTION, AT the general
16 election every [2] 4 years [as required by subsection (g) of this section], BEGINNING
17 WITH THE GENERAL ELECTION OF NOVEMBER 2002; and

18 (2) By the registered voters of the member's school board district.

19 (e) (1) If a candidate for the County Board dies or withdraws the candidacy
20 during the period beginning with the date of the primary and ending 70 days before
21 the date of the general election, the Board of Supervisors of Elections shall:

22 (i) Replace the name of the deceased or withdrawn candidate on
23 the ballot for the general election with the name of the candidate who received the
24 next highest number of votes in the primary election; or

25 (ii) If a contested primary was not held, reopen the filing process to
26 allow other persons to file as candidates.

27 (2) (i) Except as otherwise provided in subparagraph (ii) of this
28 paragraph, the Board of Supervisors of Elections shall add to the ballot for the
29 general election the name of any person who files as a candidate in accordance with
30 paragraph (1)(i) of this subsection.

31 (ii) The Board of Supervisors of Elections may not add additional
32 candidates to the ballot for the general election within 70 days before the date of the
33 election.

34 (f) (1) The student member shall be an eleventh or twelfth grade student in
35 the Prince George's County public school system during the student's term in office.

1 (2) An eligible student shall file a nomination form at least 2 weeks
2 before a special election meeting of the Prince George's regional association of student
3 governments. Nomination forms shall be made available in the administrative offices
4 of all public senior high schools in the County, the office of student concerns, and the
5 office of the president of the regional association. The delegates to the regional
6 association annually shall elect the student member to the Board at a special election
7 meeting to be held each school year.

8 (3) The student member may vote on all matters before the Board except
9 those relating to:

- 10 (i) Capital and operating budgets;
- 11 (ii) School closings, reopenings, and boundaries;
- 12 (iii) Collective bargaining decisions;
- 13 (iv) Student disciplinary matters;
- 14 (v) Teacher and administrator disciplinary matters as provided
15 under § 6-202(a) of this article; and
- 16 (vi) Other personnel matters.

17 (4) On an affirmative vote of a majority of the elected members of the
18 County Board, the Board may determine if a matter before the Board relates to a
19 subject that the student member may not vote on under paragraph (3) of this
20 subsection.

21 (5) Unless invited to attend by an affirmative vote of a majority of the
22 County Board, the student member may not attend an executive session that relates
23 to hearings on appeals of special education placements, hearings held under §
24 6-202(a) of this article, or collective bargaining.

25 (6) The Prince George's regional association of student governments may
26 establish procedures for the election of the student member of the County Board.

27 (7) The election procedures established by the Prince George's regional
28 association of student governments are subject to the approval of the elected members
29 of the County Board.

30 (g) (1) [An elected member serves] EACH OF THE FIVE MEMBERS ELECTED
31 FROM THE SCHOOL BOARD DISTRICTS SHALL SERVE for a term of 4 years beginning
32 on the first Monday in December after the member's election and until a successor is
33 elected and qualifies. [The terms of members are staggered as required by the terms
34 of the members serving on the County Board as of July 1, 1978.] THE SUCCESSORS
35 TO THESE OFFICES SHALL SERVE FOR A PERIOD OF 4 YEARS.

36 (2) EACH OF THE FOUR MEMBERS ELECTED AT LARGE AT THE
37 NOVEMBER 2002 GENERAL ELECTION SHALL SERVE FOR A TERM OF 2 YEARS,

1 BEGINNING ON THE FIRST MONDAY AFTER THAT ELECTION AND UNTIL A
2 SUCCESSOR IS ELECTED AND QUALIFIES. THE SUCCESSORS TO THESE OFFICES
3 SHALL SERVE FOR A TERM OF 4 YEARS, BEGINNING ON THE FIRST MONDAY AFTER
4 THE NOVEMBER 2004 ELECTION.

5 [(2)] (3) The student member serves for a term of 1 year beginning at
6 the end of a school year.

7 [(3)] (4) Subject to the confirmation of the County Council, the County
8 Executive of Prince George's County shall appoint a qualified individual to fill any
9 vacancy on the County Board until a successor is elected and qualifies at the next
10 Congressional election.

11 [(h)] (1) The County Board members from school board districts II, V, and
12 VIII who were elected for the first time at the November 6, 1973 election serve until
13 the first Monday in December 1978 and may seek reelection in 1978 for a 4-year
14 term.

15 (2) The members from school board districts III, VI, and IX who were
16 elected at the November 6, 1973 election serve until the first Monday in December,
17 1980 and may seek reelection in 1980 for a 4-year term.]

18 [(i)] (H) (1) With the approval of the Governor, the State Board may remove
19 a member of the County Board for any of the following reasons:

- 20 (i) Immorality;
- 21 (ii) Misconduct in office;
- 22 (iii) Incompetency; or
- 23 (iv) Willful neglect of duty.

24 (2) Before removing a member, the State Board shall send the member a
25 copy of the charges pending and give the member an opportunity within 10 days to
26 request a hearing.

27 (3) If the member requests a hearing within the 10-day period:

28 (i) The State Board promptly shall hold a hearing, but a hearing
29 may not be set within 10 days after the State Board sends the member a notice of the
30 hearing; and

31 (ii) The member shall have an opportunity to be heard publicly
32 before the State Board in the member's own defense, in person or by counsel.

33 (4) A member removed under this subsection has the right to a de novo
34 review of the removal by the Circuit Court for Prince George's County.

1 SECTION 3. AND BE IT FURTHER ENACTED, That the terms of office of the
2 members of the Prince George's County School Board who are in office on the effective
3 date of this Act shall terminate on the first Monday after the November 2002 election.

4 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 June 1, 2002.